



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 09/134,333      | 08/14/1998  | SHIRLEY LONGACRE-ANDRE | 0660-0135-0X        | 7863             |

22850 7590 06/18/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

GRUN, JAMES LESLIE

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

1641

#31

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

09/134,333



UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY  
And Director of the United States Patent and Trademark Office  
Washington, D.C. 20231  
WWW.USPTO.GOV

| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
|               |             |                       |                     |

| EXAMINER |              |
|----------|--------------|
| J Grun   |              |
| ART UNIT | PAPER NUMBER |
| 1641     | 31           |

DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

Director of the United States Patent and Trademark Office

The communication filed on 21 April 2003 is not fully responsive to the communication mailed 19 March 2003 for the reason(s) set forth on the attached Notice to Comply With Requirements For...Sequence Disclosures and/or CRF Diskette Problem Report.

Since the response appears to be **bona fide**, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR § 1.136(a).**

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

- Electronically submitted through EFS-Bio  
(<http://www.uspto.gov/ebs/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)
- Mailed to:  
**Commissioner for Patents  
P.O. Box 22313-1450  
Alexandria, VA 22313-1450**
- Mailed by Federal Express, United Parcel Service or other delivery service to:  
**U. S. Patent and Trademark Office  
Box Sequence, Room 1B03-Mailroom  
Crystal Plaza Two  
2011 South Clark Place  
Arlington, Virginia 22202**
- Hand Carried directly to the Customer Window at:  
**U. S. Patent and Trademark Office  
Box Sequence, Customer Window, Lobby, Room 1B03  
Crystal Plaza Two  
2011 South Clark Place  
Arlington, Virginia 22202**
- Hand Carried directly to  
**U. S. Patent and Trademark Office  
Technology Center 1600, Reception Area 7<sup>th</sup> Floor  
[Examiner Name], [Sequence Information]  
Crystal Mall One  
1911 South Clark Street  
Arlington, Virginia 22202**

Any inquiry concerning this communication should be directed to the examiner, James L. Grun, Ph.D, Technology Center 1600, Group 1640, Art Unit 1641, whose telephone number is (703) 308-3980. The examiner can normally be reached on weekdays from 9 a.m. to 5 p.m. If unable to reach the examiner, Long Le, SPE, can be contacted at (703) 305-3399.

Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice To Comply.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196. The above inquiries, or requests to supply missing elements from Office communications, can also be directed to the TC 1600 Customer Service Office at phone numbers (703) 308-0197 or (703) 308-0198.

*JLG*  
James L. Grun, Ph.D.  
June 16, 2003

*Christopher L. Chin*  
**CHRISTOPHER L. CHIN  
PRIMARY EXAMINER  
GROUP 1800-1641**

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: "SEQ ID NO:" identifiers must be entered as required by 37 CFR § 1.821( d) for each sequence. For example, an identifier should at least be entered in the brief description of a Fig. if a sequence is depicted in the Fig. The listings should be checked carefully before resubmission.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).
- ☒ Amendments to the specification directing entry of "SEQ ID NO:" identifiers into the specification.

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

# Raw Sequence Listing Error Summary

| ERROR DETECTED   | SUGGESTED CORRECTION   | SERIAL NUMBER: 09/134,333B |
|--|--|----------------------------|
| ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE |  |                            |
| 1 _____ Wrapped Nucleics<br>Wrapped Aminos   | The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."   |                            |
| 2 _____ Invalid Line Length  | The rules require that a line not exceed 72 characters in length. This includes white spaces.  |                            |
| 3 _____ Misaligned Amino<br>Numbering  | The numbering under each 5 <sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.  |                            |
| 4 _____ Non-ASCII  | The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.   |                            |
| 5 _____ Variable Length  | Sequence(s) _____ contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.   |                            |
| 6 _____ PatentIn 2.0<br>"bug"  | A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) _____. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.  |                            |
| 7 _____ Skipped Sequences<br>(OLD RULES)   | Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence:<br>(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)<br>(i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)<br>(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)<br>This sequence is intentionally skipped<br><br>Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences. |                            |
| 8 _____ Skipped Sequences<br>(NEW RULES)   | Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence.<br><210> sequence id number<br><400> sequence id number<br>000   |                            |
| 9 _____ Use of n's or Xaa's<br>(NEW RULES)   | Use of n's and/or Xaa's have been detected in the Sequence Listing.<br>Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.<br>In <220> to <223> section, please explain location of n or Xaa; and which residue n or Xaa represents.   |                            |
| 10 _____ Invalid <213><br>Response   | Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence.   |                            |
| 11 _____ Use of <220>  | Sequence(s) _____ missing the <220> "Feature" and associated numeric identifiers and responses.<br>Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.<br>(See "Federal Register," 06/01/1998, Vol 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)   |                            |
| 12 _____ PatentIn 2.0<br>"bug"   | Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.  |                            |
| 13 _____ Misuse of n   | n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.  |                            |